IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FIFTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 2464 of 2005

Between:

Chilaka Venkateswara Rao, s/o Veera Venkaiah,
Shop No.6, r/o Rajupothepalli Village, T.Narasapuram Mandal, W.G.District.

..... PETITIONER

AND

1 The Joint Collector, West Godavari at Eluru.
2 The Revenue Divisional Officer,

Eluru, West Godavari District.
3 The Mandal Revenue Officer,

T.Narasapuram Mandal, W.G.District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents calling for records with regard to and in connection with proceedings No.2044/2004(C) dated 31-12-2004 and quash the same, and pass such other order or orders as this Hon'ble Court may deem fit and proper.

Counsel for the Petitioner:MR.R.SRIDHAR

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the admission stage made the following :

ORDER:

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The authorization of the petitioner as a fair price shop dealer was suspended by the 2nd respondent though his order, dated 31.12.2004. The petitioner preferred an appeal before the 1st respondent. He also filed an application for interim orders. He complains that the 1st respondent has not passed any order so far, thereby he subjected to hardship.

Heard learned counsel for the petitioner and learned Government Pleader for Civil Supplies.

The petitioner availed the remedy of appeal aggrieved by the order, dated 31.12.2004, suspending the authorization of the petitioner pending enquiry.

Sub-Clause(2) of Clause 20 of A.P.State Public Distribution System Control Order, 2001 confers power on the appellate authority to grant interim orders, if he is satisfied that the grounds exist therefor. The delay in disposal of the applications for interim orders would defeat the very purpose of filing the appeal.

Hence, the writ petition is disposed of, directing that the 1st respondent shall pass appropriate orders in the application for stay filed by the petitioner, within a period of two weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

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15.02.2005

Note: Issue C.C. by tomorrow.

(B/o)

Jsu
To

1 The Joint Collector, West Godavari at Eluru.
2 The Revenue Divisional Officer,

Eluru, West Godavari District.
3 The Mandal Revenue Officer,

T.Narasapuram Mandal, W.G.District.

4 Two CCs to GP FOR CIVIL SUPPLIES,

High Court Buildings, Hyderabad (O.U.T.)

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